

**ORDINANCE NO.: 10273 (N.S.)**

**AN ORDINANCE OF THE SAN DIEGO COUNTY SANITATION DISTRICT  
RELATING TO FEES AND DEPOSITS**

The Board of Directors of the San Diego County Sanitation District (District) ordains as follows:

Section 1. The Board of Directors finds and determines that it is necessary to adopt fees and deposits for work performed in support of land development projects to ensure full cost recovery for District services.

Section 2. Adopt the following Ordinance:

(A) FEES AND DEPOSITS. Fees and deposits shall be paid to the District in the amounts set forth in the following schedule:

**SCHEDULE OF FEES AND DEPOSITS**

<b>Case Type</b>	<b>Amount</b>	<b>F/D</b>
<b>PRE-APPLICATION CONFERENCE</b>		
Initial Consultation	\$565	D
<b>SEWER PLAN REVIEW</b>		
Plan Check Review	\$1,040	D
Inspection	5% Const. Cost $\leq$ \$100K + 3% Const. Cost $>$ \$100K,  \$995 Minimum	D
Material Testing	1.5% Const. Cost $\leq$ \$50 K +1% Const. Cost $>$ \$50K,  \$400 Minimum	D
Sewer Pump Station Plan Review/Inspection	5% Construction Cost with a minimum deposit of \$8,510	D
Wastewater Treatment and Reclamation Plant Plan Review/Inspection	5% Construction Cost with a minimum deposit of \$12,045	D
Closed - Circuit Televised Video Sewer (CCTV)	First segment between Manholes minimum deposit	D

Inspections	plus \$250 for each additional segment thereafter (a segment is length greater than 20 feet). Minimum deposit of \$1,710	
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(F) = Fee

(D) = Deposit, amount listed is intake deposit only, additional deposits may be required

(B) STANDARD HOURLY RATES. All labor charges shall be calculated and will be charged using the standard hourly rates set forth in the San Diego County Administrative Code or as are otherwise approved by the Board of Directors of the District. County personnel working for the District may bill at a Board of Supervisors approved rate to any fee or deposit account established by the District.

(C) PRE-APPLICATION DEPOSITS. Upon request, pre-application review of projects may be requested by an applicant to identify any significant issues or concerns that the applicant may want to consider before filing a formal application. The deposit collected is intended to cover District costs for the review and pre-application meeting with the applicant.

(D) INTAKE DEPOSIT. An initial intake deposit shall be paid at the time of application submittal. The intake deposit shall be collected to recover actual costs related to project intake; preliminary case review; site/field visit; and all costs related to initial project analysis.

(E) ESTIMATED DEPOSIT. Upon completion of initial project analysis, the applicant and project manager will discuss the scope of the project and calculate an estimated deposit(s). The estimated deposit(s) shall be calculated based on factors identified during the initial project analysis, established processing time standards, standard hourly rates and key milestones. Estimated deposits shall be paid in advance of services performed. Estimated deposits are collected to recover actual project processing costs by key milestones and shall be paid prior to the completion of said milestones. The District may discontinue processing the requested permit and/or recommend denial of the project based on the applicant's refusal to pay the estimated deposit and all actual processing costs that may not have been included in the estimate.

(F) SUBSEQUENT DEPOSITS. Unanticipated factors arising during project processing, such as, but not limited to, complexity, controversy or environmental issues which require additional project review will be conveyed to the applicant as soon as they are known. If it is determined that the deposit is insufficient to recover actual costs, the project manager will scope the work remaining on the project and calculate an additional subsequent deposit. The District may discontinue processing the requested permit and/or recommend denial of the project based on the applicant's refusal to pay the estimated deposit and all actual processing costs that may not have been included in the estimate.

(G) REFUNDS. The District shall not authorize the refund of any fee paid except upon receipt of a written request by the original applicant, received not later than one year after the date of fee payment. Where a refund of a fee is requested, the amount shall be based upon work completed on standard project tasks and milestones by case type. Fee refunds of \$25,000 or more must be approved by the Board of Directors prior to payment. Fees which are erroneously collected may be refunded without Board of Directors approval regardless of amount and without the requirement that an application be submitted for the refund.

At the completion of all tasks associated with an application for which a deposit is required and after all final documents and review are completed, the difference between the deposited amount and the actual cost shall be refunded to the applicant within 180 days.

An applicant who has paid the applicable application fee(s) and deposit(s) may withdraw the application by submitting a written request to the District. The District shall discontinue work on such application within one working day from the receipt of said request, except that the District may continue to process an application involving the violation of a District ordinance. Any unused fee(s) and deposit(s) remaining upon the withdrawal of the application shall be refunded in accordance with this section.

Final permits, documents and approvals shall not be issued until all fees and deposits are paid in full.

Notwithstanding any other provision of this section, when the applicant is owed a refund but is in deficit on a separate District deposit account(s), the refund may be applied by the District to the deposit account(s) in deficit as an offset, unless a different disposition of the refund is required by state law.

(H) VIOLATIONS. When a violation of any District ordinance includes or results from the failure to obtain a required permit, the standard fee or deposit for obtaining the permit required to correct the violation shall be collected. A violation fee in the amount of \$500 shall be collected. In all cases the additional violation fee amount shall be treated as a non-refundable fee, even if the initial amount is a deposit.

(I) CHARGES FOR TECHNICAL REPORTS: Information, circulars, reports of technical work, and other reports prepared by the District when supplied to other government agencies, individuals or groups requesting copies of same may be charged for by the District in a sum not to exceed the cost of publication and distribution of such documents

(J) FEE WAIVER FOR STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTER. Notwithstanding the fees and deposits otherwise specified, the fees or deposits may be waived for an applicant who is rebuilding legally built structures which have been damaged or destroyed by a wildfire or other natural disaster and which are located within the boundaries of a geographic area which has been declared by

resolution of the Board of Directors to be eligible for this fee or deposit waiver. The fee or deposit waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced.

Section 3. This Ordinance shall take effect and be in force sixty (60) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the San Diego County Sanitation District this 17<sup>th</sup> day of July, 2013.



GREG COX

Chairman, Board of Directors

County of San Diego, State of California

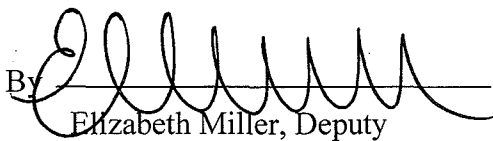
The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts

NOES: Horn

ATTEST my hand and the seal of the Board of Directors this 17<sup>th</sup> day of July, 2013.

THOMAS J. PASTUSZKA  
Clerk of the Board of Directors

By   
Elizabeth Miller, Deputy



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07/17/13 (SA03)